

R E M A R K S

The Office Action issued June 21, 2000 has been received and its contents have been carefully considered.

Applicant hereby affirms the election of claim 1-8.

Claims 1 and 6 have been amended to address the rejection under 35 USC §112, second paragraph. More particularly, claim 6 has been amended to recite the mirror symmetry of adjacent strands, as shown in Figure 1. The specification has been amended to provide specific antecedent basis for this new language.

Claims 1-8 stand rejected under 35 USC §103 as being unpatentable over Strack et al. U.S. Patent No. 5,681,645. To the extent this rejection would be applied to claims as presently amended, it is traversed for the reasons following.

Strack et al. discloses a laminate comprising two webs of knit, woven or scrim material and a web of non-woven elastomeric material therebetween. The non-woven elastomeric web is preferably a melt blown material [Col. 6, line 22,; Col. 8, line 1), and can be laminated to the web of knit, woven or scrim material using an adhesive. These adhesives are described extensively at Col. 9, line 35, to Col. 10, line 37.

Strack et al. is distinguished from the present invention in that it makes no suggestion that the non-woven web can be adhered to the outer webs without an adhesive;

the adhesive properties of the melt blown material, if any, are not used to adhere it to the other webs. Rather, as shown in Figure 1 of Strack et al, the non-woven elastomeric web 15 passes through an adhesive applicator 17 prior to passing between bonding rolls 18, 19.

Applicant's claim 1 as presently amended distinguishes from Strack et al. by recitation of an inner layer which is a latticework of thermoplastic adhesive which adheres directly to the outer layers without any additional adhesive. This considerably simplifies manufacture, and still provides desired elastic properties in the finished laminate.

The invention is further distinguished by features recited in dependent claims and new claim 20. These features include, inter alia, a preferred embodiment wherein the inner layer is formed by thermoplastic strands having a sinusoidal configuration. Such a regular pattern is markedly distinguished from the melt blown fibers of Strack et al.

The claims as amended being definite and clearly patentable over the art of record, withdrawal of the rejection and early allowance are solicited.

MILDE, HOFFBERG & MACKLIN, LLP
10 Bank Street - Suite 460
White Plains, NY 10606

(914) 949-3100

Respectfully submitted,

By *F. Brice Faller*
F. Brice Faller
Reg. No. 29,532

I hereby certify that this correspondence is being deposited with the United States Postal Services as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 9-21-00

By *Julian Gadd*
Date 9-21-00